

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

IN RE:
RC2 CORP. TOY LEAD PAINT
PRODUCTS LIABILITY LITIGATION

MDL NO. 1893 ALL CASES

Case No. 07 C 7184

Judge Leinenweber

**DEFENDANTS' MOTION FOR LEAVE
TO FILE BRIEF IN EXCESS OF FIFTEEN PAGES**

Defendants, Learning Curve Brands, Inc. and RC2 Corporation, (collectively, "RC2"), by and through their undersigned counsel, hereby file this Motion for Leave to File a Brief in Excess of Fifteen Pages pursuant to Local Rule 7.1 for the United States District Court for the Northern District of Illinois. In support of this Motion, RC2 respectfully represents as follows:

BACKGROUND

1. On January 28, 2008, the Plaintiffs in this MDL filed Plaintiffs' Emergency Motion for Preliminary Injunction Pursuant to the All Writs Act and an accompanying memorandum in support thereof (collectively the "Emergency Motion"). The memorandum was 24 pages in length and included a Declaration of Beth Fegan with 32 attached exhibits.

2. RC2 is preparing and intends to file a brief in response to the Emergency Motion (the "Response"). The Response is anticipated to exceed the fifteen (15) page limit imposed by Local Rule 7.1.

3. Local Rule 7.1. provides that "[n]either a brief in support of or in opposition to any motion ... shall exceed 15 pages without prior approval of the court."

4. The Response is anticipated to be approximately 30 pages in length.

5. By this Motion, RC2 respectfully requests leave to file the Response in excess of fifteen (15) pages.

BASIS FOR RELIEF

6. RC2 is mindful of Northern District of Illinois Local Rule 7.1's standard limitation of briefs to fifteen (15) pages. However, an exception to this Court's standard page limit is needed to allow Defendants to fully address the lengthy legal and factual arguments raised by the Plaintiffs.

7. Finally, Defendants contacted interim lead counsel for Plaintiffs, Will Riley, via email on the morning of February 4, 2008 to obtain his consent; however, Defendants had not received a response as of the time of this filing.

8. This Motion is brought in good faith for good cause and will not prejudice any Party.

WHEREFORE, RC2 respectfully requests entry of an order granting RC2 leave to file the Response to Plaintiffs' Emergency Motion for Preliminary Injunction Pursuant to the All Writs Act in excess of fifteen (15) pages and granting such other and further relief as the Court deems appropriate under the circumstances.

Dated: February 4, 2008

Respectfully submitted,

ICE MILLER

s/ Judy S. Okenfuss

Judy S. Okenfuss

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 4th day of February, 2008, a copy of the foregoing has been filed electronically using the Court's CM/ECF system which sent electronic notification of this filing to the following counsel for Plaintiffs:

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